STATE PERSONNEL BOARD, STATE OF COLORADO

Case No. 2004G061

| ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR HEARING |
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| RITA KELLY, |
| Complainant, |
| VS. |
| DEPARTMENT OF HUMAN SERVICES, |
| Respondent. |

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on July 20, 2004. The Board reviewed the Preliminary Recommendation of the Administrative Law Judge in this matter, and based on such review, and being advised in the premises,

IT IS HEREBY ORDERED that the Preliminary Recommendation of the Administrative Law Judge be adopted and the petition for hearing be **DENIED**.

Dated this ____ day of ___ John Zakhem August, 2004. Board Chair

State Personnel Board 1120 Lincoln Street, Suite 1420

Denver, Colorado 80203

NOTICE OF APPEAL

Each party has the following rights:

- 1. To abide by the decision of the State Personnel Board; or
- 2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11) C.R.S. (2003), as provided in Section 24-50-125.4(3), C.R.S. (2003).

In the event the decision is appealed, the Board requests that a copy of the Notice of Appeal filed with the Court of Appeals also be filed with the State Personnel Board at: 1120 Lincoln Street, Suite 1420, Denver, CO 80203. Such will aide in the timely preparation of the record.

CERTIFICATE OF MAILING

This is to certify that on the _____ day of August, 2004, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR HEARING** in the United States mail, postage prepaid, addressed as follows:

Rita Kelly 10485 West 8th Avenue, Apartment 5 Lakewood, Colorado 80215

And by interagency mail to:

Stacy L. Worthington
First Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203